

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: :
DAMIEN FRASER, : :
: :
Petitioner, : : 21-CV-9904 (JMF)
: :
-v- : :
: :
DAVID HOWARD, : :
: :
Respondent. : :
: :
----- X

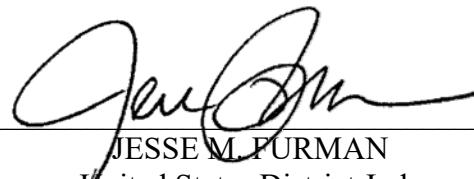
JESSE M. FURMAN, United States District Judge:

The Court has received a letter from Petitioner, dated February 13, 2023 — a copy of which is attached — requesting an extension of time to file his notice of appeal. Respondent shall file any response to Petitioner's request **by March 10, 2023.**

The Clerk of Court is directed to mail a copy of this Order to Petitioner.

SO ORDERED.

Dated: March 7, 2023
New York, New York



JESSE M. FURMAN
United States District Judge

Damien Fraiser
DIN: 17-A-2680
Woodbourne Correctional Facility
99 Prison Rd / P.O. Box 1000
Woodbourne, New York 12788-1000

February 13, 2023

Jesse M. Furman
United States District Court Judge
Southern District of New York
U.S. States Courthouse
40 Foley Sq., Room 1105
New York, N.Y. 10007

RE: *Fraiser v. Howard*, 21 Civ. 09904 (JMF)(GWG)

Your Honor,

I am the petitioner in the above-entitled petition for habeas corpus. On December 28, 2022, I was granted 60 days to submit a response in references to appeal the denial of my Writ of Habeas Corpus. I am asking the courts for an additional 30 days because I am awaiting a response back from Eastern Correctional facility, F.O.I.L Officer to attach as an exhibit. Enclose are documents to support this request of 30 days extension. Although the facility tries to accommodate all incarcerated individuals with court imposed deadlines, as a Pro se litigant I am respectfully asking the Court's permission to grant an extension of time to file said objections. I respectfully ask that I am permitted to file my objections on or before March 13, 2023.

28.
Thank you for your consideration and time in this matter.

Respectfully submitted,

Damien Fraiser
DIN: 17-A-2680
Woodbourne Correctional Facility
99 Prison Rd / P.O. Box 1000
Woodbourne, New York 12788-1000

Cc.:df/file
Gabriel Gorenstein, District Judge
Jennifer L. Watson, Assistant District Attorney

Damien Frasier
17-A-2680
Woodbourne Correctional Facility
99 Prison Rd., P.O. Box 1000
Woodbourne NY 12788

February 12, 2023

The Office of Counsel
DOCCS
1220 Washington Avenue
Albany NY 12226

RE: FOIL Appeal # ~~XXXX~~ Log No. ECF-0018-23

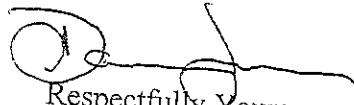
Dear Sir or Madam,

I hereby appeal the denial of access regarding my request, which made on January 8, 2023 to Eastern CF FOIL Officer, in regards to Incoming Legal Mail, from 2019-to-2021, pertaining to legal mail I have received since housed in facility

Please accept this appeal to FOIL request under the provisions of the New York Freedom of Information Law, Article 6 of the Public Officers Law.

As required by the Appeals, the head or governing body of an agency, or whoever is designated to determine this appeals, is required to respond within 10 business days of receipt of an appeal, please explain the reason for the denial fully in writing as required by law.

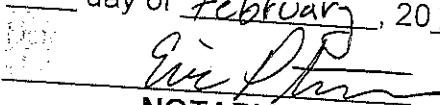
Dated: February 12, 2023


Respectfully Yours,

Damien Frasier,
17-A-2680
Woodbourne CF
99 Prison Road/ P.O. Box 1000
Woodbourne NY 12788

Sworn before me this

12 day of February, 2023.


NOTARY PUBLIC

ERIC DAVID PETERSEN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PE6391706
Qualified in Delaware County
My Commission Expires May 13, 2023



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

January 13, 2023

FRA SER, D. 17A2680
Woodbourne Correctional Facility

Re: FOIL Log No. ECF-0018-23

This is in response to your New York State Freedom of Information Law request for:

- LEGAL MAIL LOGBOOK 8/2019 – 7/2021

We are attempting to determine what, if any, records are available concerning your request. We anticipate a reply should be forwarded to you within 20 business days of the date of this letter unless you are notified otherwise in writing.

Please be patient, as the Department receives a high volume of requests for records and processes as quickly as possible.

Sincerely,



S. Fredenburgh, IRC II
FOIL Officer
Inmate Records

CC: FOIL Records

If you do not agree with any part of this decision, you may appeal by writing the Office of the Counsel & FOIL Appeals Officer, NYS Department of Corrections and Community Supervision, The Harriman State Campus, 1220 Washington Avenue, Albany, New York, 12226-2050.

In appeal correspondence, please clearly note your name, DIN number, facility from which records were requested, and the FOIL Log Number provided.